

Committee of Adjustment
101 Centrepointe Drive
Ottawa, ON K2G 5K7

August 17, 2023

Attention: Mr. Michel Bellemare, Secretary-Treasurer
Committee of Adjustment

Dear Mr. Bellemare,

Re: Application for Consent
1704 Boyer Road, Ottawa ON

JD Planning has been retained by 2710390 Ontario Incorporated (the 'Owner') to submit an Application for Consent for the property municipally known as 1704 Boyer Road (the 'site'). The site is a large rectangular lot located on the west side of Boyer Road and presently contains a one-storey single-detached dwelling and detached garage which will be demolished. The proposal is to sever the parcel in half to create two new lots and construct one new single-detached dwelling on each lot, with one primary dwelling unit and one secondary dwelling unit on each new lot. The lots are fully zoning compliant, and no minor variances are required to facilitate the creation of the two new lots or the proposed development.



Figure 1. Aerial mapping of subject site and immediately surrounding context (GeoOttawa, 2021)

SITE & SURROUNDING CONTEXT

The site is located in Ottawa’s Chapel Hill North neighbourhood in Ward 2 – Orleans West-Innes. More specifically, the site is located on the west side of Boyer Road, in the block bounded by Beausejour Drive to the south, Hunter’s Run Drive to the west, and Jeanne-d’Arc Boulevard South to the north. Chapel Hill North is a residential neighbourhood characterized by low-rise, low-density residential uses amongst curvilinear streets and large areas of open space and parkland scattered throughout. The neighbourhood is generally located south of St-Joseph Boulevard, bordered by the Greenbelt to the west, Boyer Road to the east, and Innes Road to the south. Orleans Boulevard intersects the neighbourhood travelling southwest from Jeanne-d’Arc Boulevard, connecting to Innes Road to the south. St-Joseph Boulevard connects from Regional Road 174 (which splits from Highway 417) to the west, to Jeanne-d’Arc Boulevard to the east. The area is south of Regional Road 174 and the Orleans Industrial neighbourhood.

The site is situated less than 2 kilometers southeast of the Jeanne D’Arc transit station and is serviced by OC Transpo bus routes to the north along Jeanne D’Arc, and to the east along Orleans Boulevard. The site is situated close to many parks and greenspace areas, including Louis Perrault Park and Heritage Park to the southwest, Barrington Park to the southeast, Cedar Mills Park to the east, Laurier Carriere Park to the northeast, and Racette Park to the northwest. Voyager Creek Valley greenspace weaves throughout the neighbourhood to the west and southwest of the site. The site is located within 1.5 kilometers or less of several schools, including: Forest Valley Elementary School, Chapel Hill Catholic School, and Catholic Elementary School – Star Eastern Townships to the southwest; St. Katen Tekakwitha School and Henry Larsen Elementary School to the southeast; Gameau Catholic High School and Saint-Joseph d’Orleans Catholic Elementary School to the northeast; and, Convent Glen Elementary School and L’Odysee Public Elementary School to the northwest.



The site is immediately surrounded by single-detached dwellings to the north, west, east, and south, with larger lots and dwellings along the west side of Boyer Road to the north, and smaller/narrower lots and dwellings along both the east side of Boyer Road and east side of Hunter's Run Drive.

The site presently contains a one-storey brick and sided detached dwelling in the most northeasterly area of the property. There is an asphalt driveway along the south side of the property leading to a detached garage located in the rear yard along the south side lot line. There are two privately owned distinctive maple trees to be removed due to conflicts with the proposed building, and one red maple to be protected and retained. There is one non-distinctive tree to be removed which is not protected. Each lot will feature an attached garage and driveway, front porch, ample rear yard area, and three new trees in the rear yard.

The site consists of the following specifications and legal description, with the existing site conditions shown in the Images below.

Area	1,298.3 m ²
Frontage	22.86 m on Boyer Road
Depth	56.86 m
Legal Description	Part of Lots 4 and 5, Concession 2 (Ottawa Front), Geographic Township of Gloucester
PIN	04415-0025

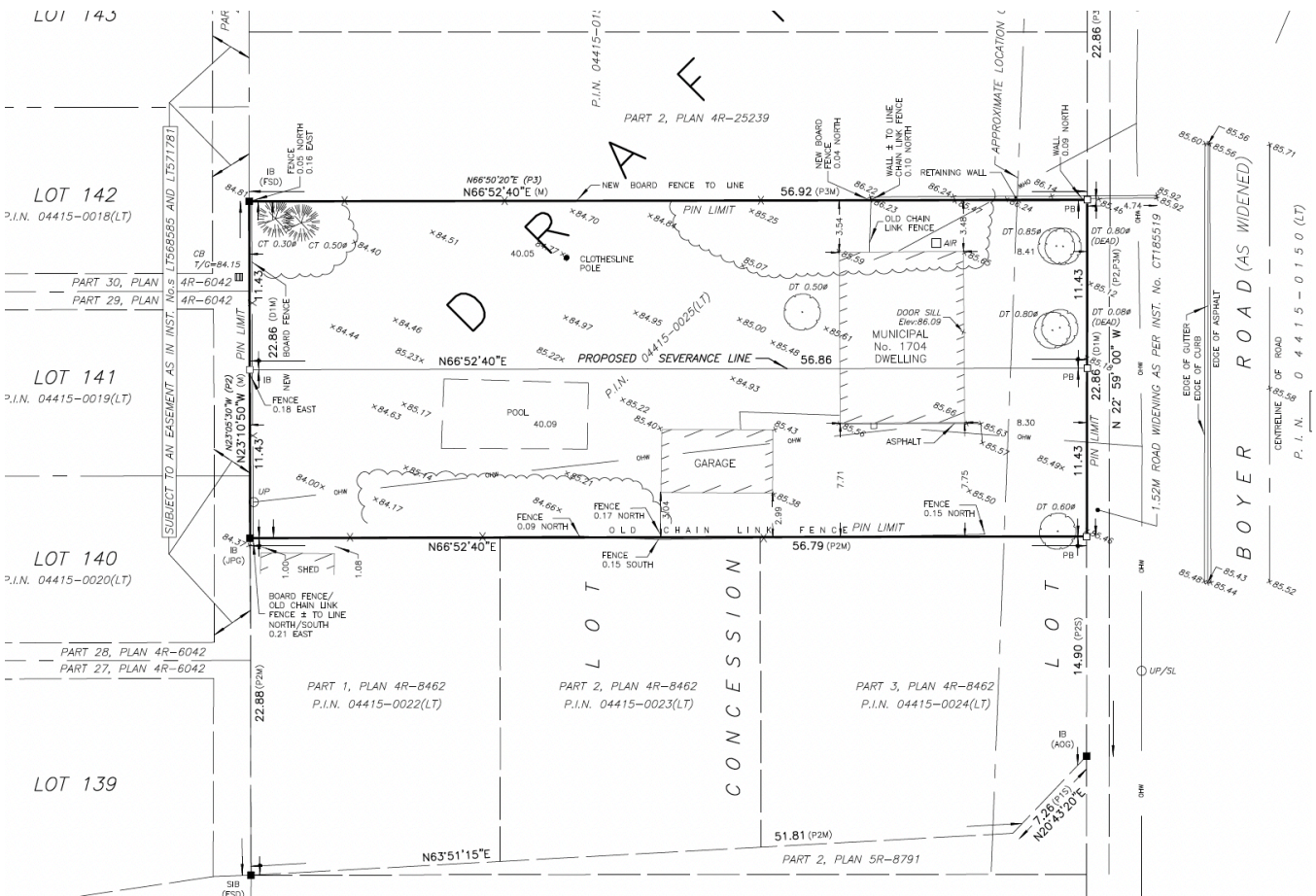


Figure 3. Extract of topographic survey prepared by Callon Dietz Incorporated

Images 1 through 5 below demonstrate images of the subject site and immediately surrounding context along Boyer Road, showing a variety ages and styles of single-detached dwellings on varying lot sizes.



Image 1. Streetview of subject site looking west from Boyer Road (Google Streetview)



Image 2. New residential dwellings along Boyer Road immediately north of site looking southwest



Image 3. New residential dwellings along Boyer Road north of site looking southwest



Image 4. Existing single-detached dwellings along Boyer Road opposite site looking northeast



Image 5. Streetview of intersection of Boyer Road and Beausejour Drive looking northwest towards subject site (Google Streetview)

PROPOSED DEVELOPMENT

The proposal is to demolish the existing single-detached dwelling, sever the lot in half to create two new parcels, and construct two new single-detached dwellings, each with one primary dwelling unit and one lower-level Secondary Dwelling Unit (SDU). The proposed dwellings will fully conform to the zoning by-law. A render of the proposed development is provided in Figure 4 below for information purposes.



Figure 4. Rendering of proposed development prepared by MasterPlan Design

PROPOSED SEVERANCES

The proposal is for one Primary Consent application to the Committee, which will result in the creation of two rectangular lots with frontage on Boyer Road. The Owners' legal representation has confirmed that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening Section 50 of the Act. A certificate will be requested for both the severed and retained lands. There are no proposed easements over either of the parcels. Details of the proposed severances are outlined in Table 1 below with the extract of the Draft R-Plan and prepared by Callon Dietz Incorporated in Figure 5 below.

Table 1. Proposed severances and lot configurations

	PROPOSED PARCEL A (NORTH)	PROPOSED PARCEL B (SOUTH)
Parts	1	2
Lot	Part of Lots 4 and 5	
Concession	Concession 2 (Ottawa Front)	
PIN	Part of 04415-0025(LT)	
Lot Area (m ²)	649.8 m ²	648.5 m ²
Lot Frontage (m)	11.43 m	11.43 m
Lot Depth (m)	~ 56.89 m	~ 56.86 m
Lot Width (m)	11.42 m	11.42 m

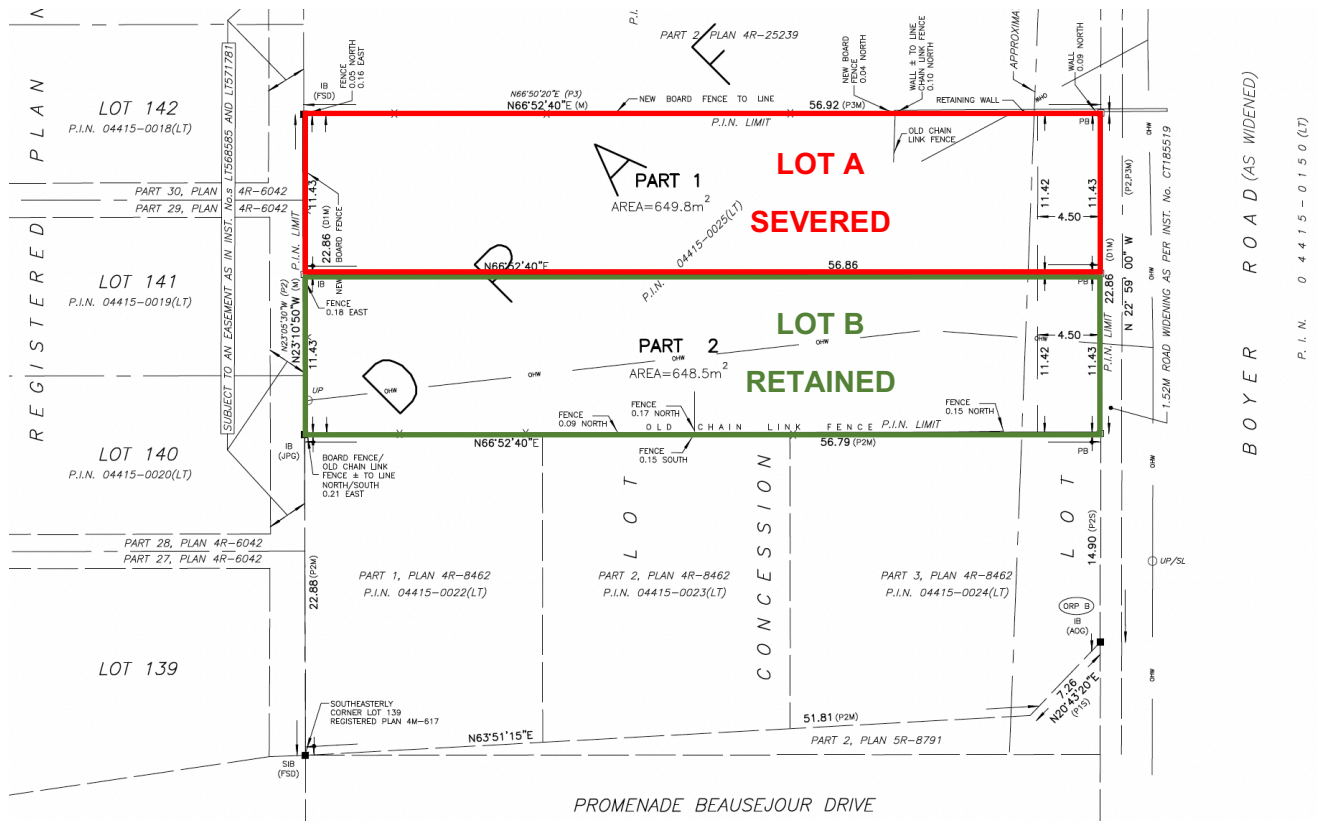


Figure 5. Extract of draft reference plan prepared by Callon Dietz Incorporated with added mark-up by JD Planning

PROVINCIAL POLICY STATEMENT 2020

The Provincial Policy Statement 2020 (PPS) provides policy direction on planning matters for the Province of Ontario, and decisions affecting all planning matters shall be consistent with the PPS policies. The proposed consent is consistent with the applicable policies of the PPS, as demonstrated below.

Section 1.1.1 of the PPS states that healthy, livable, and safe communities are sustained by:

- a) “promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial) [...] to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;”...

Section 1.4.1 of the PPS states that “to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) “maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans”.

- The proposed consent will allow for the creation of a total of two new primary residential dwelling units, associated secondary units, one per lot respectively, where there was previously only one dwelling unit. The severances will create added and needed larger-family housing in the City’s urban area. The proposed new lots are an appropriate size and shape for the area and are of similar lot fabric to many others in the immediate context. There will be ample greenspace and landscaping on site, and all required zoning provisions are met with the proposed new single-detached homes. The neighbourhood is characterized by a variety of similarly sized lots which contain single-detached dwellings, and the proposed zoning compliant lot creation is consistent with the and desirable for the existing context.
- The sites will be independently serviced by municipal water, sewer, and storm services. The use of existing municipal roads and services is also an appropriate and efficient use of resources. The proposed development fits and functions well within the City’s suburban area.

OFFICIAL PLAN

The subject site is designated Neighbourhood within the Suburban (East) Transect Policy Area in the New Official Plan as shown in Figure 6 below.

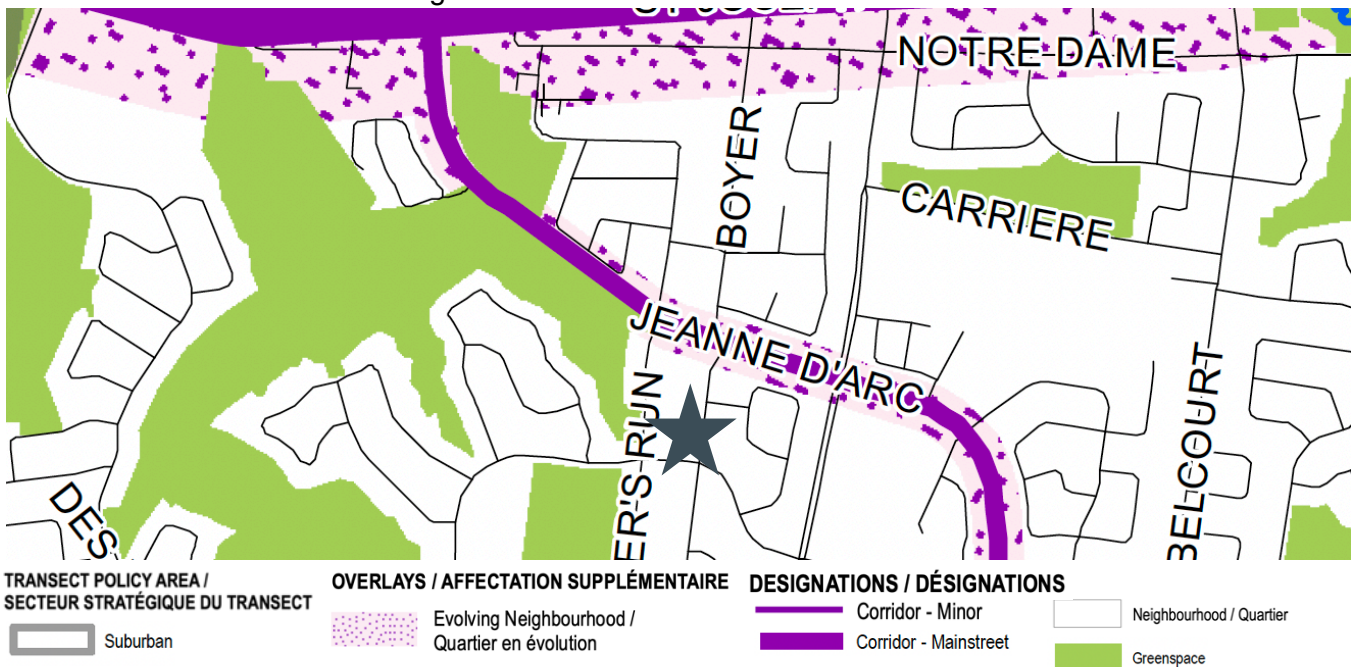


Figure 6. Extract of New Official Plan – Suburban (East) Transect Area

Section 2.2.1 Intensification and Diversifying Housing Options sets out policy intent for provision of housing options for larger households. Subsection ii) states that “[m]uch of the demand for new housing is expected to be for ground-oriented units, such as single-detached, semi-detached, rowhouse dwellings and new forms not yet developed... There needs to be opportunities in residential Neighbourhoods within a short walking distance to Hubs and Corridors to build dwelling units with enough floor space to accommodate larger households within buildings typologies that increase densities on existing lots. This will provide more choices for housing with three or more bedrooms within the developed built-up portions of the urban area.” Subsection (iii) provides for policies related to improvement of public amenities and services, and states the following: *“To support the City’s strategy to achieve a 60 per cent intensification target by 2046, the City will:*

- *Direct residential intensification to Hubs, Corridors and residential Neighbourhoods within a short walking distance of those Hubs and Corridors;*
 - *Require an appropriate proportion of housing with three or more bedrooms that will provide more housing choices for larger households...*
- The proposed new single-detached dwellings provide opportunity for ground-oriented, “family-sized” primary dwelling units as well as Secondary Dwelling Units, offering more housing choice for both larger and smaller households within the suburban area. The proposed new lots are fully zoning compliant and provide opportunity for gentle intensification in the suburban area while providing ample open and greenspace on the lots. The dwellings are near many parks, schools, and open space areas which is an appropriate and desirable location for larger family-sized units.

- The introduction of Secondary Dwelling Units (SDUs) in the lower level of the principal units is an appropriate and desirable form of modest intensification, allowing for a diversity of housing choice (ie. rental units) within the suburban area, which has typically been oriented towards provision of larger family housing rather than more affordable rental housing. The introduction of SDUs in this neighbourhood is appropriate given the proximity amenities and transit.

Section 2.2.4 Healthy and Inclusive Communities states that “[t]he City’s physical layout and design play an important role in shaping health and well-being by enabling Ottawa’s diverse population to thrive and live their lives to the fullest.” The policy intent to achieve healthy and inclusive communities is to:

- 1) “Encourage development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and amenities ... this includes a range of housing types and affordability, shops, services, access to food, schools and local childcare, employment, greenspaces, parks and pathways. They are complete communities that support active transportation and transit, reduce car dependency and enable people to live car-light or car-free.”
- The proposed development of single-detached dwellings with lower-level SDUs allows for development of a mix of both larger and smaller housing options. With the proximity to parks, transit, commercial areas, and schools, the gentle intensification of this property with ground-oriented primary dwelling units and lower-level SDUs contributes to the healthy community policies of the Official Plan.

Section 3: Growth Management Framework sets out the following policy intent for the urban area:

- *To provide an appropriate range and mix of housing that considers the geographic distribution of new dwelling types and/or sizes to 2046;*
- *To prioritize the location of residential growth to areas with existing municipal infrastructure, including piped services, rapid transit, neighbourhood facilities and a diversity of commercial services;*
- *To establish a growth management framework that maintains a greater amount of population and employment inside the Greenbelt than outside the Greenbelt*

Section 3.2: Support Intensification sets out policies for intensification throughout the urban area, as follows:

- 4) *“Intensification is permitted in all designations where development is permitted taking into account whether the site has municipal water and sewer services. This Plan supports intensification and the approval of applications for intensification shall be in conformity with transect and overlay policies as applicable.*
- 8) *“Intensification should occur in a variety of dwelling unit floorspace sizes to provide housing choices. Dwelling sizes are categorized into two broad categories, with a range of floorspaces occurring within each category:*
 - a) *Small-household dwellings are units with up to two bedrooms and are typically within apartment-built forms; and*
 - b) *Large-household dwellings are units with three or more bedrooms or an equivalent floor area and are typically within ground-oriented built forms.*

10) *The residential density and proportion of large household dwelling targets as shown on Schedules B1 through B8 are established in Table 3a for Hubs and Mainstreet Corridors and Table 3b for Neighbourhoods and Minor Corridors. Within Neighbourhoods, provide for a diversity of housing opportunities such that generally, higher densities will be directed closer to Mainstreets, Minor Corridors, rapid transit stations, Hubs and major neighbourhood amenities...*

→ The proposed ground-oriented single-detached dwellings are supported by the intensification policies and residential density targets of the Official Plan. The development of larger single-detached family homes with lower-level apartment type SDU dwellings for a diversity of housing choice in this neighbourhood, and offers modest intensification in the suburban area.

Section 4.2.1: Enable greater flexibility and an adequate supply and diversity of housing options throughout the city sets out the following policies:

- 1) “A diverse range of flexible and context-sensitive housing options in all areas of the city shall be provided through the Zoning By-law, by:
 - a) Primarily regulating the density, built form, height, massing and design of residential development, rather than regulating through restrictions on building typology;
 - b) Promoting diversity in unit sizes, densities and tenure options within neighbourhoods including diversity in bedroom count availability;
 - c) Permitting a range of housing options across all neighbourhoods to provide the widest possible range of price, occupancy arrangements and tenure...

→ As noted, the provision of multi-bedroom and family-sized units in the urban area is supported by the Official Plan policies. The proposed consents will facilitate the severance of two zoning compliant lots, and the future development of two appropriately sized ground-oriented primary dwelling units each with SDUs. This is an appropriate, permitted, and compatible form of infill intensification in the urban area.

Section 5.4 Suburban Transect sets out policies which recognize the existing suburban built form while supporting the evolution towards 15-minute neighbourhoods and provides direction for new development within the Suburban Transect. **Section 5.4.1(3)** supports the provision of a range of dwelling unit sizes which are predominantly in the form of ground-oriented housing forms in Neighbourhoods which are farther from rapid transit. **Per Section 5.4.5**, “neighbourhoods located in the Suburban Transect and within a 15-minute neighbourhood shall accommodate residential growth to meet the Growth Management Strategy as outlined in Subsection 3.2, Table 3”. Further, the Official Plan supports a wide variety of housing types with a focus on missing-middle housing that may not yet be contemplated.

→ The proposed consent application which will facilitate provision of two new low-rise, ground-oriented single-family homes and associated SDUs is a form of modest density increase that supports the intensification policies of the Suburban Transect area set out in the Official Plan.

ZONING BY-LAW 2008-250

The site is zoned Residential First Density, Subzone W – R1W, in the City of Ottawa’s Zoning By-law 2008-250, which permits single-detached dwellings. The purpose of the R1 zone is to:

- (1) restrict the building form to detached dwellings in areas designated as General Urban Area;
- (2) allow a number of other residential uses to provide additional housing choices within detached dwellings in residential areas;
- (3) permit ancillary uses to the principal residential use to allow residents to work at home;
- (4) regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced...



Figure 7. Map showing R1W zoning and subject site outlined blue (GeoOttawa 2021)

The applicable performance standards are set out in Table 3. The proposed new lots are fully zoning compliant. Though note required for the consent application, the proposed development details are also included in Table 2 to demonstrate that the new single-detached dwellings are also zoning compliant.

Table 2. Zoning provisions

R1W				
Provision (Single-Detached)	Required		Provided	
			Lot A (North) Part 1	Lot B (South) Part 2
Minimum Lot Width (s.156A)	9.0 m		11.42 m	11.42 m
Minimum Lot Area (s.156A)	240 m ²		649.8 m ²	648.5 m ²
Maximum Building Height (s.156A)	11.0 m		10.47 m	10.47 m
Minimum Front Yard Setback (s.156A)	4.5 m		9.19 m	9.19 m
Minimum Rear Yard Setback (s.156A, Endnote 7)	25% lot depth, no less than 6.0 m and need not exceed 7.5 m		50% lot depth 28.59 m	50% lot depth 28.46 m
Minimum Rear Yard Area (s.156A)	25% lot area 162.45 m ²	25% lot area 162.13 m ²	50% area 326.78 m ²	50% area 325.30 m ²
Minimum Interior Side Yard Setback (s.156A)	1.0 m		1.15 m	1.15 m

RATIONALE FOR CONSENT

In Section 51(24) of the Planning Act, 1990, a series of criteria are presented that state in the case of any subdivision of land, regard shall be had to:

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed consent does not have any effect on matters of provincial interest.

- (b) whether the proposed subdivision is premature or in the public interest;

The proposed consent is in the public interest as it supports the City's policies for intensification and an efficient use of residentially zoned land. The proposed severances are not premature as the site zoning and Official Plan designations permit single-detached development and the severance of those lands to create two parcels to be independently conveyed. The lot fabrics proposed are similar to many other examples in the neighbourhood, and the width and area comply with the zoning by-law. The proposed lots can adequately support the development of a new single-detached dwelling that is zoning compliant on each.

- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed severances to permit the development of two new single-detached dwellings, one on each lot, conform to the applicable City of Ottawa Official Plan policies for development, intensification, and compatibility. The Official Plan supports intensification within the urban boundary, and the proposed severance and redevelopment will add compatible and appropriate family-sized units, with the provision Secondary Dwelling Units that contribute to a diversity of housing choice and typology in the suburban area.

- (d) the suitability of the land for the purposes for which it is to be subdivided;

The land is suitable for the proposal, with surroundings that consist of single-detached dwellings on similarly sized lots. There are no required minor variances for lot width or lot area and all zoning provisions are met for the proposed new dwellings. The development of two new single-detached dwellings semi-detached dwellings with lower-level secondary dwelling units where there was previously only one single-detached dwelling on a large, underutilized lot is a desirable, permitted, and suitable use of these residentially zoned and designated lands.

- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

No new roadways are proposed as part of the consents. The proposed development and severances will have adequate frontage to an open public municipal road (Byron Road). The site is just north of Beausejour Drive, which connects to Hunters Run Drive to the west and Orleans Boulevard to the east. Jeanne-d'Arc Boulevard South is just to the north, which connects to Highway 174 then Highway 417 to the west.

(f) the dimensions and shapes of the proposed lots;

The dimensions and rectangular shape of the proposed lots are functional and compatible with the surrounding neighbourhood character and development pattern. The proposed lots are fully zoning compliant in terms of width and area, and can appropriately accommodate two new single-detached dwellings, with one Primary dwelling unit on each new lot.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

There are no known existing or proposed restrictions on the land.

(h) conservation of natural resources and flood control;

The proposed soft landscaping in the rear yard exceeds the provisions of the Zoning By-law. No watercourses or flood plains impact the site. There are no City-owned distinctive trees impacted, and two privately owned tree to be removed due to conflict with the as-of-right building envelope. One privately owned distinctive tree is to be retained and protected throughout construction. Please refer to the Tree Information Report enclosed with this submission.

(i) the adequacy of utilities and municipal services;

Municipal water, sewer and storm services are available and will be independently provided for both lots.

(j) the adequacy of school sites;

The site is located within 1.5 kilometers or less of several schools, including: Forest Valley Elementary School, Chapel Hill Catholic School, and Catholic Elementary School – Star Eastern Townships to the southwest; St. Katen Tekakwitha School and Henry Larsen Elementary School to the southeast; Gameau Catholic High School and Saint-Joseph d’Orleans Catholic Elementary School to the northeast; and, Convent Glen Elementary School and L’Odyssee Public Elementary School to the northwest.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

N/A

(l) the extent to which the plan’s design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The proposal provides opportunity for gentle and compatible intensification on a presently underdeveloped lot within the suburban serviced area thus allowing for a more efficient use of land and resources. The proposed severances will facilitate the infill intensification of two new single-detached dwellings, one on each parcel of land, with lower-level Secondary Dwelling Units (SDUs) in each primary unit. This is a modest and appropriate form of density increase and will make use of existing available municipal water, sewer, and storm services. The proposed severances optimize the available supply of land and energy resources and are an efficient use of the land.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4).

The proposal for development of two single-detached dwellings is not subject to the Site Plan Control By-law and therefore an application for Site Plan Control is not required.

Overall, the proposed severance applications demonstrate regard for the criteria of Section 51(24) of the Planning Act.

CONCLUSION

The subject site is a regularly shaped lot municipally known as 1704 Boyer Road, fronting onto the west side of Boyer Road in the Chapel Hill North neighbourhood, and presently contains a one-storey single-detached residential dwelling. The Owner is proposing to demolish the existing dwelling, sever the property into two separate parcels, and construct a new single-detached dwelling with lower-level Secondary Dwelling Unit on each new lot. The proposed severance will create two fully zoning compliant lots, which allow for the development of two new zoning compliant dwellings.

The development of new single-detached dwellings is a permitted use under the current residential first density zoning and appropriate for the neighbourhood fabric and planned function of the surrounding community. The proposed configuration and size of the lots is permitted as-of-right, and is compatible, appropriate, and desirable considering the existing context. Each lot will be independently municipally serviced, and the site and neighbourhood have the capacity to support this type and form of modest and permitted residential intensification. The proposal offers a diversity of housing typology and choice in the format of both family-sized primary dwelling units and apartment SDUs, which is needed and supported within the urban boundary area.

The proposed consents are consistent with the Provincial Policy Statement, 2020 conform to the policies of the City of Ottawa Official Plan and comply with the City of Ottawa’s Zoning By-law 2008-250. The consents meet the criteria as set out in Section 51(24) of the Planning Act as detailed in this report. The proposed development represents good land use planning and is recommended for approval.

Respectfully submitted,



Jessica D’Aoust, MCIP RPP M.PI
Principal + Senior Planner